



U.S. Department of Justice

United States Attorney

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September 22, 2022

Honorable Joel H. Slomsky
Judge, United States District Court
13614 United States Courthouse
601 Market Street
Philadelphia, PA 19106-1744

Re: United States v. \$5,230,918.26 in United States Currency etc., CV 21-1755

Dear Judge Slomsky:

The United States provides this update to the Court on the above civil forfeiture case pursuant to this Court's request on August 25, 2022. As discussed below, while the corresponding criminal case of *United States of America v. Bill Omar Carrasquillo, et al* is nearing completion, the defendants have not yet been sentenced. Only once the defendants are sentenced can the forfeiture process be fully resolved. The government therefore requests that the Court keep this matter open and in civil suspense until the Court has handed down its sentences against the criminal defendants.

This matter arose out of a conspiracy by three men to engage in a scheme to access copyrighted materials including cable programing, decrypt them without permission, and resell these materials to customers. The defendants were indicted on September 16, 2021, and the criminal case is docketed as 21-CR-367. The case is before the Honorable Harvey Bartle, III. To date, all three co-defendants, that is Bill Omar Carrasquillo, Jesse Gonzales, and Michael Barone, have pled guilty, and are currently awaiting sentencing.

The United States filed the above civil forfeiture action on April 14, 2021, approximately 4 months before the criminal indictment was returned. The government did so to provide an alternative avenue to forfeit the fraud proceeds, as well as to comply with statutory deadlines following the filing of administrative claims to certain property by Mr. Carrasquillo and Mr. Gonzales. The civil complaint seeks forfeiture of the same property that was the subject of the original preliminary order of forfeiture in the *Carrasquillo, et al.* criminal case. The civil forfeiture action was stayed by order of this Court, on July 30, 2021 (Dkt. No. 12).

Out of an abundance of caution, the United States seeks to keep the civil action here open until the defendants' interests are forfeited pursuant to the criminal case. The government has no objection to the stay remaining in place for the civil matter. Further, counsel for the Government has spoken to Christopher Kristofco, Mr. Carrasquillo's counsel for the civil forfeiture matter, who indicated that he had no objection to the civil matter remaining stayed pending resolution of the criminal case.

Sentencings in the corresponding criminal case are currently scheduled for November 29, 2022 for Michael Barone, and January 23, 2023 for Bill Omar Carrasquillo and Jesse Gonzales.

Thank you for your accommodation in this matter.

Respectfully yours,

JACQUELINE C. ROMERO
United States Attorney

/s/ David Weisberg
DAVID WEISBERG
Special Assistant United States
Attorney

cc: Christopher P. Kristofco, Esq. (by email)
Hope C. Lefeber, Esq. (by email)